

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.60 of 2007

State of Orissa and others ***Appellants***

Mr. D.R. Mohapatra, Senior Standing Counsel

-versus-

Josephin Xess ***Respondent***
None

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAIAK

ORDER

15.03.2022

Order No.

02.

Misc. Case No.64 of 2007 and W.A. No.60 of 2007

1. The Court is not satisfied with the explanation for the delay in filing the writ appeal. Even on merits this Court finds that the issue concerns family pension. Respondent was already 62 years old when the present appeal was filed way back in 2007.

2. Considering the long passage of time, the Court considers it appropriate not to interfere with the impugned order on merits while leaving the question of law arising from the said impugned order open for decision in some other appropriate case.

3. The appeal is therefore dismissed with the above observations both on the ground of delay as well as on merits. The Misc. Case is also dismissed.

4. Urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge